

WEATHER.
FOR NEW YORK CITY:
Showers, followed by
fair; cooler.
For New York, New Jersey, Con-
necticut and Eastern Pennsylvania:
Showers in New York and Con-
necticut, fair in New Jersey and
Eastern Pennsylvania; cooler; brisk
northwesterly winds.
The highest temperature yester-
day was 74 degrees, at 3 p. m.
The lowest temperature yester-
day was 66 degrees, at 12:30 a. m.



NEW YORK JOURNAL

AND ADVERTISER.

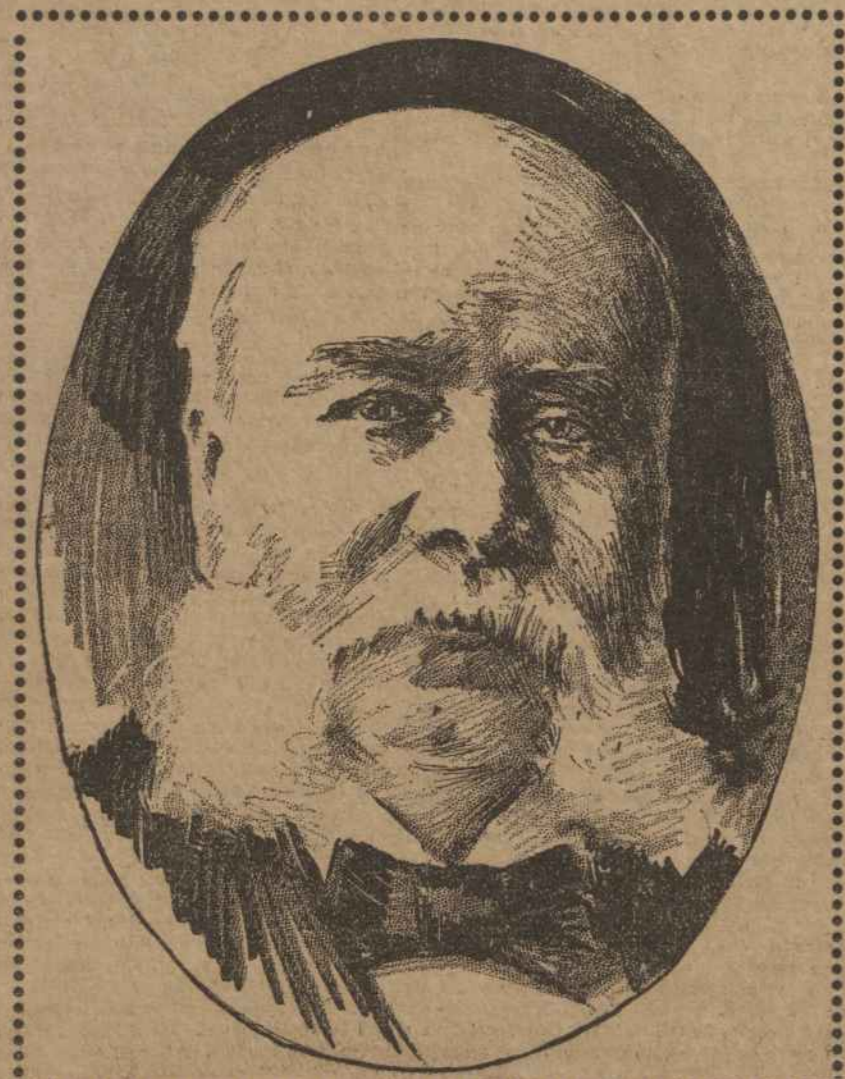
NO. 5,791.

Copyright, 1898, by W. R. Hearst.—NEW YORK, SATURDAY, SEPTEMBER 24, 1898.—14 PAGES.

PRICE ONE CENT In Greater New York; Elsewhere, TWO CENTS.

STARTLING DISCOVERY MADE BY BLACK'S FRIENDS. IS ROOSEVELT DISQUALIFIED FOR THE GOVERNORSHIP?

**BLACK'S FRIENDS DECLARE THAT
ROOSEVELT IS NOT A CITIZEN.**



Ex-Minister Stewart L. Woodford.

Ex-Minister Woodford is regarded as a possible compromise candidate for the Governorship in case of Roosevelt's legal ineligibility. He has resigned the Spanish mission and is conferring with the Platt leaders. Woodford is said to be very acceptable to McKinley. And Woodford would not be dangerous in 1900, for he would be too old to be a Presidential possibility.

**Payn and Lauterbach Spring a Sensation Which They Ex-
pect Will Fill Platt and His Machine
with Dismay.**

THE most extraordinary complication ever known in the history of politics was developed yesterday when the announcement was made that Governor Black's friends had learned that Theodore Roosevelt was ineligible for the Governorship of this State.

This discovery was made in Albany and hurried to New York by Senator Lexow, Judge Olcott and Edward Lauterbach, all three of whom are lawyers and hustlers for Black.

The sensation was based on an affidavit alleged to have been made by Roosevelt that his legal residence since March 31 last was Washington, D. C. This would destroy the legality of his residence in this State according to the Black managers, who quote the State Constitution, which provides that a man must be a resident of the State in order to fill the office of Governor.

Roosevelt admits that he made the affidavit in order to avoid paying taxes in this city while acting as Assistant Secretary of the Navy. He says the matter is not unsettled.

Platt and his managers met in the Fifth Avenue Hotel, where such eminent legal talent as the three partners of the firm of Tracy, Boardman & Platt, Elihu Root and two Supreme Court Justices were summoned to try and solve the puzzle.

Late last night Mr. Roosevelt was not certain that the way was clear to him. He had promised to issue a statement as to where he stood, but announced at midnight that he would not say anything until to-day.

Albany, Sept. 23.—The political sensation of years is being discussed here to-night. It is to the effect that the Black managers have discovered that Theodore Roosevelt is ineligible to fill the Governor's chair of the State of New York because he is not a legal resident of the State.

The Black managers say they are positive that Roosevelt, in swearing off his taxes in New York County, on the ground that he was a resident of Washington, effectually killed the possibility of his being eligible to fill a State office in New York.

State Chairman Odell heard of this alleged discovery concerning Roosevelt's residence in Saratoga and rushed to New York. Executive Chairman Barnes is still in Saratoga, telephoning despatchingly to his friends here and in New York.

Governor Black's friends are gleeful and bursting with the news they think is still confined to a limited circle.

Lieutenant-Governor Woodruff and Michael Dady, who arrived here at 3 o'clock, heard the news from the Governor and hurried back to New York on the 6 o'clock train. "Loo" Payn and Superintendent Aldridge went back early in the afternoon to secure New York and Kings County delegates. They report by telephone overwhelming success.

Senator Platt's candidate, it is said here, will now be Comptroller James A. Roberts, who for years has been after the Governorship, but who has been executed by Platt for his independence. At a late hour the executive chamber in the capital was ablaze, while the Governor's friends received a deluge of telegrams from leaders and associates from all over the State with assurances of friendship, while the long-distance telephone rang for those who preferred verbal communication.

Black Leaders in Albany Jubilant.

"Loo" Payn, the picturesque, and Edward Lauterbach, the quaint, discovered the article in the State Constitution, and because of that belated discovery, which may disqualify Roosevelt for the Governorship, they declare the Colonel cannot be the Republican candidate for Governor.

In a general way, the provisions of the State Constitution are known to political leaders. Mr. Payn was making the fight of his life for Governor Black. He ranted every board, he tapped the walls, he examined the windows of Roosevelt's citadel, and finally encountered the Constitution. True to his nature, he investigated with absolute thoroughness and the eligibility of Roosevelt came under the search.

Absence in Washington does not disqualify a man from voting. Government service in war times cannot be used to the detriment of a citizen. The Constitution says nothing of voters or citizenship, but says specifically that a man to be eligible for Governor must have been a "resident" voter of the State for five years preceding the election at which he is to be voted for.

"It's a good point and raises a mooted question," said Mr. Lauterbach, when he was approached. "How are you going to legally prove Roosevelt is not a resident?"

The grim Mr. Payn, who is diligent if not handsome, set his wits and his agents to work, and thirty-six hours ago secured—so it is alleged—Colonel Roosevelt's commission as Lieutenant-Colonel and a copy of his affidavit made to the Tax Collector of Oyster Bay, Queens County, when

Roosevelt's Own Affidavit, Made to Evade Taxation, Is Now the Basis of the Enemy's Bitter Attack.

THIS LAW A SNAG FOR ROOSEVELT.

No person shall be eligible to the office of Governor or Lieutenant-Governor except a citizen of the United States, of the age of not less than thirty years, and who shall have been FIVE YEARS NEXT PRECEDING HIS ELECTION a resident of this State.—Article IV., Section 2, of the Constitution of the State of New York.

PLATT CALLS IT A ROORBACK.

I have satisfied myself completely that Colonel Theodore Roosevelt is a legal resident of the State of New York. The story that he is not was a roorback. The story implicating him in any improper transaction as to the Merrimac is a nasty lie.—Senator Thomas C. Platt to a Journal reporter.

PAYN KNOWS ALL ABOUT IT.

"Yesterday I learned about the facts which to-day are claimed to make Roosevelt ineligible. Not being a lawyer, it would hardly be worth while to give any expression of personal opinion."—LOUIS F. PAYN to a Journal reporter.

ROOSEVELT—"I AM A CITIZEN."

I am a citizen of Oyster Bay, New York State.—Theodore Roosevelt to a Journal Reporter.

ODELL SAYS ROOSEVELT IS A NATIVE.

Our evidence, given to us by some of the best lawyers in the State, together with two able Supreme Court Justices, is that Colonel Roosevelt is a legal resident of this State; we are satisfied about this, and the Colonel will be nominated for Governor by the Republican State Convention next Tuesday.—Chairman B. B. Odell, of the Republican State Committee, to a Journal Reporter.

he swore off his personal taxes. Both documents, it is alleged, show that Roosevelt claims Washington as his place of residence.

The delirium in the Black camp can be imagined when the news was learned. Figuratively, handclaps were thrown. Mr. Payn went into a paroxysm of silent mirth, while Mr. Lauterbach's Mephistophelian countenance radiated with a smile of seraphic delight.

Hurry to Black with the News.

It was to discuss this sensational development with Governor Black that brought Messrs. Payn and Lauterbach to Albany yesterday. It was to discuss it with the delegates of New York and Kings that Messrs. Payn and Aldridge went to New York to-day. Until train time the Governor and his two chief lieutenants were closeted in a private room of the executive suite. A messenger from the Governor was awaiting Lieutenant-Governor Woodruff and Michael Dady when they arrived this afternoon, and the two Kings County leaders hurried to the Capital.

After a two hours' conference Messrs. Woodruff and Dady left the Governor. They were in light spirits as they made for the depot.

"Roosevelt's out of it," said Mr. Woodruff emphatically, "and that's all I will say."

As the Lieutenant-Governor and his friend boarded a car they conversed in a manner that clearly indicated their joyous frame of mind.

Comptroller Roberts, who has been a consistent anti-Platt man and who had been summoned to Albany, reached the Executive Chamber at 4 o'clock, and went into secret session with the Governor for an hour. This was queer conduct for the reported candidate of Platt for the Governorship to be guilty of, and the Platt machine men were worried. Former Judge Edwin Countryman, esteemed one of the leading lawyers of New York State, arrived when Comptroller Roberts left. Judge Countryman had been called on for his legal opinion. He declined to discuss the matter after his interview with the Governor, but the Journal correspondent learned definitely that Judge Countryman told Governor Black that with the information he had received he would state that Colonel Roosevelt was clearly ineligible for the office of Governor.

This opinion is regarded as of conspicuous importance.

Machine Men Angry with the Colonel.

The Platt men early in the evening execrated Roosevelt's fragility as the cause of their trouble. With true sarcasm one of the Platt leaders sketched Roosevelt as a "Rough Rider" charging up San Juan hill with a revolver in each hand, and then Roosevelt as a taxpayer swearing off his personal taxes in the office of the Oyster Bay collector.

"One picture's heroic, aint it?" asked this leader. "And the other's on the bum." Late to-night the same leader who had evidently been advised to pluck up spirit, said: "I guess it's all right. Elihu Root and Justice Cohen, of New York, say the Colonel is eligible, and that no bar to his nomination exists."

If Comptroller Roberts should strike heads with Governor Black, Mr. Platt would be forced to look elsewhere for a candidate. General Stewart L. Woodford is presumed to have resigned as Minister to Spain on the direct promise of the Governor's nomination. General Woodford, if not a hero of the war, was at least a record closely associated with the preliminaries of the war, and for that reason is in Platt's estimation what Minister Sweetman would call an "Ass-scent hero."

Comptroller Roberts's attitude to-night is certainly hostile. Whether it is due to antagonism to Platt or a belief that Platt could not nominate him even if a promise were made is difficult to tell. If Roberts is impossible, Woodford may be the man with whom Platt will make his desperate fight for supremacy if Roosevelt fails him.

**PLATT CONSULTS LAWYERS AND
SAYS ROOSEVELT WILL BE NAMED.**



James A. Roberts.

Comptroller Roberts is spoken of as a rival to Mr. Woodford in the compromise candidacy.

**He Has Had "Rats Burrowing, Too," and on Their
Report He Issues His Defiance to Foes
of His Machine.**

Theodore Roosevelt will go into the Saratoga convention as a candidate for Governor, and will certainly be nominated. This is the first time I have said this.—Senator Thomas C. Platt to a Journal reporter last night.

Definitely were the words spoken by the chief of the Republican machine. They were uttered at the close of perhaps as exasperating a day as he has experienced since his political career began. They were uttered in spite of the fact that to his face the allegation had been made that his favorite candidate for Governor has no legal residence in this State, and that he had been, along with the firm of Tracy, Boardman & Platt, implicated as Assistant Secretary of the Navy in the scandal attending the purchase of the steamer Merrimac by the United States Government; in spite of the fact that six hours before he had practically determined to throw Roosevelt overboard and take up General Stewart L. Woodford as his candidate for Governor, and in spite of the fact that because of the disclosures made as to his citizenship and his connection with the Merrimac affair many delegates at Saratoga from Greater New York were demanding to be released from their pledges to support Roosevelt.

IS WOODFORD A CANDIDATE?

Here is General Stewart L. Woodford's ambiguous denial of the plan to make him the Republican candidate for Governor. General Woodford was seen at the Waldorf-Astoria.

"It is reported that you will be put in nomination for Governor at the Saratoga convention. Is there any truth in it?" General Woodford was asked.

The question did not surprise the former Minister to Spain. Instead, he appeared to have anticipated it. There was an appreciative light in his eye, and he smiled broadly.

"Take out your paper and pencil," he said to the reporter. Then General Woodford dictated slowly:

"I am a candidate for"—there was a long pause. Then General Woodford said quickly, "nothing," and laughed.

"But, General, are your friends urging you for the position?"

"I am a candidate for nothing. Good-night." General Woodford held out his hand and tried to hurry away.

"But would you accept the nomination?" General Woodford was retreating. "I am a candidate for nothing. Good-night," he called back. Then he laughed as he hastened to the elevator.

Washington, Sept. 23.—Following the customary use of a Minister obliged to leave his post through the breaking out of his resignation as Minister to Spain. It is believed that it will be six months before the United States has occasion to send a Minister to Madrid again. Under the law Mr. Woodford's salary ceased sixty days after he left his post.

It might have been possible for General Woodford to have returned to Madrid as United States Minister, but this would only have been at the request of the Spanish Government. Otherwise it is customary to send a new Minister to avoid the revival of bitter feelings. Should the United States disregard this usage, and return General Woodford to Madrid, it would find itself obliged to receive Senator Bernabe, late Spanish Minister to Washington, whose course in establishing a system of espionage in Canada during the war rendered him rather unpopular here.

gusted with things in general. The Senator called out Chairman Odell, and they disappeared upstairs. Chairman Quigg with a supercilious sneer, declared that the stories that Roosevelt was not to be nominated were pure inventions of the wicked Lou Payn.

"Why," said Mr. Quigg, "Black won't have 100 votes in the convention at Saratoga. Roosevelt will have the rest." Quigg kept telling this to everybody who asked him about the reported new phase of the situation.

Platt Breaks the News.

Senator Platt informed Messrs. Odell and Quigg that he had received a call from Edward Lauterbach, Judge William M. K. Olcott and Senator Clarence Lexow, who declared they represented the Governor and who alleged that Colonel Roosevelt is a non-resident of New York, and therefore not eligible for the Governorship. They had called to make a formal protest against the nomination on this ground. They had still another objection to the Colonel.

They did not swear to the truth of the statement, but evidence had been furnished to them, or at least Louis Payn had secured it, to show that Colonel Roosevelt and the law firm of Tracy, Boardman & Platt, of which the Senator's son is a member, had been mixed up in the Merrimac purchase scandal. That "old tub" worth not more than \$25,000, was sold for \$350,000 to the Government, the firm of Tracy, Boardman and Platt getting \$50,000 out of it, according to the story they had, as attorneys.

Messrs. Lexow, Olcott and Lauterbach submitted that a man who, as Assistant Secretary of the Navy, was at all implicated in such a job, was hardly fit for the Republican nomination for Governor of New York. Senator Platt is reported to have been much affected by the disclosures made by his visitors, but did not appear surprised. He asked them to meet him at the Fifth Avenue at 6 o'clock.

"I have had rats burrowing myself," said he. "I will tell you the result of their burrowing."

It transpired that Elihu Root, General Tracy, Henry B. Boardman and two Supreme Court Justices, whose names were suppressed, had been at work for twenty-four hours by Senator Platt's express orders, to ascertain the status of Colonel Roosevelt's citizenship. They arrived at the Fifth Avenue to report just before 6 o'clock, and were at once ushered to the rooms of Senator Platt. Colonel Roosevelt himself, who had been summoned from Oyster Bay by telephone, very soon after slipped into the Twenty-fourth street door, and a few minutes later joined the party in Senator Platt's apartments.

What Platt's Rats Found.

While the conference was progressing, Messrs. Lexow, Lauterbach and Olcott called for their answer. Senator Platt met them at the door of his apartments, and is reported to have said, semi-sarcastically: "Gentlemen, I am much obliged for the trouble you have taken. I have to assure you that I have the opinions of some of the very best lawyers in the world that Colonel Roosevelt's citizenship in New York State cannot be legally questioned. As I let me assure you further, that Colonel Roosevelt will be nominated for Governor, and that he will have my support at Saratoga."

Though the visitors were profuse in their warnings that it would be political suicide for him to sides to a candidate against whom such accusations had been submitted, the Senator refused to listen to them further, and they retired more determined than ever to stand by Governor Black.

Meanwhile Senator Platt's lawyers had been consulting. According to the statement made by Chairman Odell afterward New assumed the Senator and Colonel Roosevelt, after carefully examining the Colonel, that he was a legal resident of Oyster Bay. They said he was therefore a legal voter in New York State and entitled to citizenship.